

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Peter N. Slater, Byron G. Johnson, Edward L. Sughrue II, and Dennis R. Kidd

Serial No.: 10/723,355
Filed: November 26, 2003

Group Art Unit: 1754
Examiner: Steven J. Bos

For: DESULFURIZATION AND NOVEL SORBENTS FOR SAME

RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Requirement for Election, Applicants hereby elect Group I, Claims 1-9, drawn to a process for removing sulfur from a hydrocarbon, classified in Class 423, Subclass 242.1, but respectfully requests reconsideration of the requirement for restriction for the reasons given below.

Non-elected Group II, Claims 10-11, drawn to a gasoline or diesel fuel, classified in Class 208, Subclass 1+, is retained in this case pending reconsideration of the Requirement for Restriction.

The Requirement for Restriction is respectfully traversed. The Requirement for Restriction is based, at least in part, on grounds that the invention(s), as set forth in the Office Action, are distinct and have acquired a separate status in the art as shown by the cited classifications, and that the fields of search are not the same.

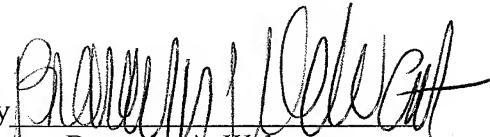
All art classes referred to in the Office Action properly would be searched, even if the Group II claims do not exist. Claims 10-11 claim a product resulting from the process of the Group I claims.

The claims of Group I, drawn to a process, and Group II, drawn to a gasoline or diesel fuel, are sufficiently closely related in this application to be allowable in a single application. All groups of claims clearly relate to the removal of sulfur from a hydrocarbon stream. Furthermore, the Examiner is respectfully requested to examine MPEP 803, second paragraph, which encourages combinations, such as the combination of the Group I and II claims in this application.

The claims are so closely related in substance as to render reasonable the withdrawal of the requirement for restriction.

Respectfully submitted,

RICHMOND, HITCHCOCK,
FISH & DOLLAR

By 
Bronwyn A. Welvaert
Registration No. 52,350

BAW/cab

RICHMOND, HITCHCOCK
FISH & DOLLAR
P.O. Box 2443
Bartlesville, Oklahoma 74005
1-918-661-0652